

**AMENDMENT TO**  
**RULES COMMITTEE PRINT 118–10**  
**OFFERED BY MR. POSEY OF FLORIDA**

Page 1033, after line 14, add the following:

1 **SEC. 1859. NATIONAL COMMISSION ON CRITICAL SUPPLY**  
2 **CHAINS.**

3 (a) ESTABLISHMENT.—Congress shall establish a  
4 National Commission on Critical Supply Chains (referred  
5 to in this section as the “Commission”).

6 (b) PURPOSES.—The purposes of the Commission  
7 shall be to—

8 (1) convene an independent entity that brings  
9 together national experts in a highly visible forum to  
10 conduct a systematic study and give guidance to  
11 Congress on the complex and strategically important  
12 issues related to rebuilding critical American supply  
13 chains;

14 (2) identify the critical supply chains in which  
15 the United States is dependent on materials, prod-  
16 ucts, equipment, or services from foreign countries  
17 and in which substantial harm would come to the  
18 United States economic security, national defense,  
19 health and wellness, or way of life if those supply

1 chains were compromised, slowed, attacked, dis-  
2 rupted, or no longer available;

3 (3) investigate in depth and report on existing  
4 dependencies, limitations, and risks to the United  
5 States for each of these critical supply chains, in-  
6 cluding considerations for medical supplies, equip-  
7 ment, and medications; rare earth materials; preci-  
8 sion-integrated circuits and microchips; machine  
9 tools and production equipment; defense components  
10 and homeland security capabilities; scientific equip-  
11 ment needed for advanced technology research and  
12 development; clothing and textiles; and food and ag-  
13 ricultural products;

14 (4) assess and provide guidance on key ques-  
15 tions, including—

16 (A) what driving forces are pushing United  
17 States companies to offshore their procurement  
18 or their manufacturing operations;

19 (B) how the United States can predict and  
20 prevent future supply chain disruptions;

21 (C) what the United States can do to re-  
22 duce future vulnerabilities and risks;

23 (D) how the United States can make the  
24 American supply chain resilient enough to pro-  
25 tect necessary capabilities and resources;

1           (E) which manufacturing activities should  
2           be performed strictly within the United States  
3           to ensure economic and national security;

4           (F) what products circulating within the  
5           United States economy must be acquired from  
6           United States based manufacturers to ensure  
7           economic and national security;

8           (G) what actions should be taken by the  
9           United States to increase domestic manufac-  
10          turing to meet critical supply chain needs and  
11          improve its terms of trade; and

12          (H) what would be the effects of a new na-  
13          tional manufacturing strategy on employment,  
14          growth, innovation, and national security; and

15          (5) develop and propose specific recommenda-  
16          tions, submit a biannual comprehensive report (and  
17          intermediate updates as necessary to maintain time-  
18          ly and relevant information), and provide Congres-  
19          sional oversight to Congress to be used as a resource  
20          for legislative actions to mitigate the risks of future  
21          American supply chain disruptions.

22          (c) MEMBERSHIP.—

23                 (1) MEMBERS.—The Commission shall be com-  
24                 posed of 12 members, of whom—

1           (A) three members shall be appointed by  
2           the Speaker of the House of Representatives, in  
3           consultation with the chairpersons of relevant  
4           committees, including the Committee on Ways  
5           and Means, Committee on Energy and Com-  
6           merce, Committee on Science, Space, and Tech-  
7           nology, Committee on Transportation and In-  
8           frastructure, Committee on Armed Services,  
9           Committee on Natural Resources, Committee  
10          on Small Business, Committee on Homeland  
11          Security, Committee on Foreign Affairs, and  
12          Committee on Agriculture of the House of Rep-  
13          resentatives;

14          (B) three members shall be appointed by  
15          the minority leader of the House of Representa-  
16          tives, in consultation with the ranking minority  
17          Members of relevant committees, including the  
18          Committees described in subparagraph (A);

19          (C) three members shall be appointed by  
20          the President pro tempore of the Senate upon  
21          the recommendation of the majority leader of  
22          the Senate, in consultation with the chair-  
23          persons of relevant committees, including the  
24          Committee on Finance, Committee on Com-  
25          merce, Science, and Technology, Committee on

1 Armed Services, Committee on Energy and  
2 Natural Resources, Committee on Small Busi-  
3 ness and Entrepreneurship, Committee on  
4 Homeland Security and Governmental Affairs,  
5 Committee on Environment and Public Works,  
6 Committee on Foreign Relations, and Com-  
7 mittee on Agriculture, Nutrition, and Forestry  
8 of the Senate; and

9 (D) three members shall be appointed by  
10 the President pro tempore of the Senate upon  
11 the recommendation of the minority leader of  
12 the Senate, in consultation with the ranking mi-  
13 nority Members of relevant committees, includ-  
14 ing the Committees described in subparagraph  
15 (C).

16 (2) CHAIR; VICE CHAIR.—

17 (A) APPOINTMENT.—Not later than 30  
18 days after the initial meeting of the Commis-  
19 sion, the Commission shall elect a Chair and  
20 Vice Chair from among the Commission's mem-  
21 bers by a simple majority vote, and such Chair  
22 and Vice Chair shall be members of the Com-  
23 mission who were appointed by appointing au-  
24 thorities from different political parties under  
25 paragraph (1).

1 (B) PRESENCE.—For purposes of appoint-  
2 ing the Chair, all 12 members must be present.  
3 If all 12 members are not present, appointment  
4 of the chair shall be delayed until the next  
5 meeting of the Commission at which all 12  
6 members are present.

7 (C) TIMING.—If a quorum is not present  
8 at that initial meeting, the Chair shall be ap-  
9 pointed at the first meeting after that at which  
10 a quorum is present. If a Vice Chair is elected  
11 before the Chair and no Chair is elected, the  
12 Vice Chair shall serve as acting Chair until the  
13 Chair is elected.

14 (D) NEW CHAIR AND VICE CHAIR EACH  
15 CONGRESS.—A new Chair and Vice Chair shall  
16 be elected with respect to each Congress. Any  
17 member that was a Chair or Vice Chair in a  
18 Congress may not be elected to be a Chair or  
19 Vice Chair in a subsequent Congress.

20 (3) QUALIFICATIONS.—

21 (A) AREAS OF EXPERTISE.—

22 (i) IN GENERAL.—Each individual ap-  
23 pointed to the Commission shall have sub-  
24 stantial expertise in one or more of the fol-  
25 lowing areas:

1 (I) Supply chain expertise, in-  
2 cluding the following:

3 (aa) Advanced manufac-  
4 turing, with a focus on distrib-  
5 uted operations and supply chain  
6 management.

7 (bb) Economics of United  
8 States manufacturing.

9 (cc) Supply chain logistics.

10 (dd) Supplier certification  
11 and quality assurance processes.

12 (ee) Raw materials sourcing  
13 and distribution.

14 (ff) Metrics used by Original  
15 Equipment Manufacturer pur-  
16 chasing managers and chief fi-  
17 nancial officers to make pur-  
18 chasing decisions.

19 (II) Critical domain expertise, in-  
20 cluding the following:

21 (aa) Health care, medical  
22 device, and pharmaceutical man-  
23 ufacturing.

24 (bb) Mining, supply, and  
25 usage of rare earth materials.

1 (cc) Precision-integrated cir-  
2 cuits, microchips, and semicon-  
3 ductor manufacturing.

4 (dd) Defense component  
5 manufacturing and homeland se-  
6 curity products.

7 (ee) Advanced machine tools  
8 and production equipment.

9 (ff) Scientific equipment for  
10 high-precision research and devel-  
11 opment.

12 (gg) Clothing and textiles  
13 manufacturing.

14 (hh) Food production and  
15 agricultural products manufac-  
16 turing.

17 (III) Industrial policy expertise,  
18 including knowledge of industrial or-  
19 ganization, development economics,  
20 and policy tools that have been used  
21 by the United States and other devel-  
22 oping or industrial economies in the  
23 world.

24 (ii) COMPOSITION.—The composition  
25 of the members of the Commission shall

1           ensure the Commission has substantial ex-  
2           pertise in all areas described in clause (i).

3           (B) NONGOVERNMENT APPOINTEES.—An  
4           individual appointed to the Commission may  
5           not be an officer or employee of the Federal  
6           Government.

7           (4) APPOINTMENT REQUIREMENTS.—

8           (A) INITIAL APPOINTMENTS.—Members of  
9           the Commission shall be appointed not later  
10          than 45 days after the date of the enactment of  
11          this Act.

12          (B) TERM OF APPOINTMENTS.—The term  
13          of each member of the Commission shall expire  
14          on December 31 of the second session of the  
15          Congress in which the member is appointed to  
16          the Commission.

17          (C) APPOINTMENTS WITH EACH CON-  
18          GRESS.—Appointments to the Commission  
19          made after the initial appointments to the Com-  
20          mission under subparagraph (A) shall be made  
21          not later than 30 days after the date on which  
22          each Congress convenes.

23          (D) RENEWAL OF APPOINTMENTS.—A  
24          member of the Commission may be reappointed  
25          for additional terms of service upon mutual

1 agreement between such member and the ap-  
2 pointing authority that appointed such member  
3 to the Commission.

4 (E) VACANCIES.—A vacancy in the Com-  
5 mission shall not affect the powers of the Com-  
6 mission and shall be filled by the same appoint-  
7 ing authority that made the original appoint-  
8 ment. Any member appointed to fill a vacancy  
9 occurring before the expiration of the term for  
10 which the member's predecessor was appointed  
11 shall be appointed only for the remainder of  
12 that term. A member may serve after the expi-  
13 ration of that member's term until a successor  
14 has taken office. A vacancy in the Commission  
15 shall be filled in the manner in which the origi-  
16 nal appointment was made by not later than 30  
17 days after the date such vacancy occurs.

18 (F) REMOVAL.—A member of the Commis-  
19 sion may be removed from the Commission at  
20 any time by the appointing authority that ap-  
21 pointed such member to the Commission should  
22 the member fail to meet Commission respon-  
23 sibilities.

24 (5) COMPENSATION; TRAVEL EXPENSES.—Each  
25 member of the Commission may be compensated at

1 a rate not to exceed the daily equivalent of the an-  
2 nual rate of basic pay in effect for a position at level  
3 IV of the Executive Schedule under section 5315 of  
4 title 5, United States Code, for each day during  
5 which the member is engaged in the actual perform-  
6 ance of the duties of the Commission. Travel ex-  
7 penses of members of the Commission shall be al-  
8 lowed at rates authorized for employees of agencies  
9 under subchapter I of chapter 57 of title 5, United  
10 States Code, except that foreign travel for official  
11 purposes by members of the Commission is not au-  
12 thorized.

13 (d) MEETING REQUIREMENTS.—

14 (1) INITIAL MEETING.—The Commission shall  
15 convene for an initial meeting not later than 45 days  
16 after the initial members of the Commission are all  
17 appointed. An initial meeting may be convened so  
18 long as at least 10 members are present.

19 (2) SUBSEQUENT MEETINGS.—After the initial  
20 meeting under paragraph (1), the Commission shall  
21 meet upon the call of the Chair or as determined by  
22 a majority of Commission members.

23 (3) EXPECTATIONS FOR ATTENDANCE BY MEM-  
24 BERS.—Members are expected to attend all Commis-  
25 sion meetings. In the case of an absence, members

1 are expected to report to the Chair prior to the  
2 meeting and allowance may be made for an absent  
3 member to participate remotely. Members will still  
4 be responsible for fulfilling prior commitments, re-  
5 gardless of attendance status. If a member is absent  
6 from multiple meetings, the member may be re-  
7 viewed by the Chair and appointing authority that  
8 appointed such member to the Commission and fur-  
9 ther action will be considered, including removal and  
10 replacement on the Commission.

11 (4) QUORUM.—A majority of the members of  
12 the Commission shall constitute a quorum.

13 (5) VOTING.—Each member of the Commission  
14 shall be entitled to one vote, which shall be equal to  
15 the vote of every other member of the Commission.

16 (6) MEETING NOTES.—Meetings notes shall be  
17 made available to the Chairman and Ranking Mem-  
18 ber of the relevant committees of jurisdiction.

19 (e) SUBCOMMITTEES AND WORKING GROUPS.—The  
20 Commission may choose, at the discretion of the Chair and  
21 Vice Chair, to establish subcommittees and working  
22 groups for any purpose consistent with the duties of the  
23 Commission. Any findings, conclusions, or recommenda-  
24 tions made by a subcommittee or working group shall be  
25 considered by the full Commission, which shall be respon-

1 sible for determining any final findings, conclusions, and  
2 recommendations. Each such subcommittee or working  
3 group shall operate only for the Congressional Session  
4 with respect to which such subcommittee or group was es-  
5 tablished.

6 (f) ADMINISTRATION AND POWERS OF COMMIS-  
7 SION.—

8 (1) HEARINGS.—The Commission may, for the  
9 purpose of carrying out this Act—

10 (A) hold such hearings, sit and act at such  
11 times and places, take such testimony, receive  
12 such evidence, and administer such oaths as the  
13 Commission considers appropriate; and

14 (B) subject to paragraph (2), require the  
15 attendance and testimony of witnesses and the  
16 production of books, records, correspondence,  
17 memoranda, papers, and documents.

18 (2) OBTAINING OFFICIAL DATA.—

19 (A) IN GENERAL.—The Commission may  
20 secure directly from any executive department,  
21 bureau, agency, board, commission, office, inde-  
22 pendent establishment, or other instrumentality  
23 of the Federal Government or a State, local,  
24 Tribal, or territorial government any informa-  
25 tion, suggestions, estimates, and statistics to

1 enable the Commission to carry out this Act.  
2 Each such department, bureau, agency, board,  
3 commission, office, independent establishment,  
4 or instrumentality shall, to the extent author-  
5 ized by law, furnish such information, sugges-  
6 tions, estimates, and statistics directly to the  
7 Commission, upon request of the Chair of the  
8 Commission and the Vice Chair of the Commis-  
9 sion or any member designated by a majority of  
10 the Commission.

11 (B) RECEIPT, HANDLING, STORAGE, AND  
12 DISSEMINATION.—Any information, sugges-  
13 tions, estimates, and statistics submitted under  
14 subparagraph (A) shall only be received, han-  
15 dled, stored, and disseminated by members of  
16 the Commission and its staff, consistent with  
17 applicable Federal law.

18 (3) PUBLIC HEARINGS AND MEETINGS.—

19 (A) IN GENERAL.—The Commission shall  
20 hold public hearings and meetings as deter-  
21 mined appropriate by the Commission.

22 (B) PROTECTION OF CERTAIN INFORMA-  
23 TION.—Any public hearings and meetings of the  
24 Commission shall be conducted in a manner  
25 consistent with applicable Federal law regard-

1           ing the protection of data submitted to the  
2           Commission under paragraph (3).

3           (4) PERSONNEL.—

4                 (A) STAFF.—

5                     (i) APPOINTMENT; COMPENSATION;  
6                     TRAVEL EXPENSES.—The Chair of the  
7                     Commission, in consultation with Vice  
8                     Chair of the Commission, and in accord-  
9                     ance with rules agreed upon by the Com-  
10                    mission, may appoint and fix the com-  
11                    pensation of an executive director and  
12                    other additional technical and administra-  
13                    tive personnel as may be necessary to en-  
14                    able the Commission to carry out its du-  
15                    ties, without regard to the provisions of  
16                    title 5, United States Code, governing ap-  
17                    pointments in the competitive service, and  
18                    without regard to the provisions of chapter  
19                    51 and subchapter III of chapter 53 of  
20                    such title relating to classification and  
21                    General Schedule pay rates, except that no  
22                    rate of pay fixed under this clause may ex-  
23                    ceed the equivalent of that payable for a  
24                    position at level V of the Executive Sched-  
25                    ule under section 5316 of title 5, United

1 States Code. Travel expenses of the execu-  
2 tive director and other additional technical  
3 and administrative personnel of the Com-  
4 mission shall be allowed at rates author-  
5 ized for employees of agencies under sub-  
6 chapter I of chapter 57 of title 5, United  
7 States Code, except that foreign travel for  
8 official purposes by such director and per-  
9 sonnel of the Commission is not author-  
10 ized.

11 (ii) TECHNICAL STAFF EXPERTISE  
12 REQUIREMENT.—Technical staff of the  
13 Commission shall be individuals with sub-  
14 stantial expertise in one or more of the  
15 areas described in subsection (c)(2). The  
16 expertise of such technical staff shall aug-  
17 ment the ability of the Commission to have  
18 substantial expertise in all areas so de-  
19 scribed.

20 (iii) PERSONNEL AS FEDERAL EM-  
21 PLOYEES.—

22 (I) IN GENERAL.—The executive  
23 director and any other personnel of  
24 the Commission shall be treated as  
25 employees under section 2105 of title

1                   5, United States Code, for purposes of  
2                   chapters 63, 81, 83, 84, 85, 87, 89,  
3                   and 90 of such title.

4                   (II) MEMBERS OF COMMISS-  
5                   SION.—Subclause (I) shall not be con-  
6                   strued to apply to members of the  
7                   Commission.

8                   (iv) DETAILEES.—Any Federal Gov-  
9                   ernment employee may be detailed to the  
10                  Commission without reimbursement from  
11                  the Commission, and such detailee shall re-  
12                  tain the rights, status, and privileges of his  
13                  or her regular employment without inter-  
14                  ruption.

15                  (v) EXPERTS AND CONSULTANTS.—  
16                  The Commission may procure temporary  
17                  and intermittent services of experts and  
18                  consultants in accordance with section  
19                  3109 of title 5, United States Code, but at  
20                  a rate not to exceed the daily equivalent of  
21                  the annual rate of basic pay in effect for  
22                  a position at level IV of the Executive  
23                  Schedule under section 5315 of title 5,  
24                  United States Code.

1 (B) ASSISTANCE FROM FEDERAL AGEN-  
2 CIES.—

3 (i) GENERAL SERVICES ADMINISTRA-  
4 TION.—The Administrator of General  
5 Services shall provide to the Commission,  
6 on a reimbursable basis, administrative  
7 support and other services necessary to  
8 carry out the duties of the Commission.

9 (ii) OTHER DEPARTMENTS AND AGEN-  
10 CIES.—In addition to the assistance de-  
11 scribed in subparagraph (A), departments  
12 and agencies of the Federal Government  
13 may provide to the Commission such serv-  
14 ices, funds, facilities, and staff as such de-  
15 partments and agencies determine appro-  
16 priate and as authorized by Federal law.

17 (g) SECURITY CLEARANCES.—

18 (1) IN GENERAL.—The members and staff of  
19 the Commission shall obtain, if necessary to carry  
20 out the functions of the Commission, appropriate se-  
21 curity clearances for access to any classified briefing,  
22 records, and materials to be reviewed by such mem-  
23 bers or staff. The appropriate Federal agencies or  
24 departments shall cooperate with the Commission in  
25 expeditiously providing to the members and staff of

1 the Commission security clearances pursuant to ex-  
2 isting procedures and requirements, except that no  
3 person may be provided with access to classified in-  
4 formation under this Act without the appropriate se-  
5 curity clearance.

6 (2) OFFICE OF HOUSE SECURITY.—The Office  
7 of House Security of the House of Representatives  
8 shall—

9 (A) provide classified storage and meeting  
10 and hearing spaces for the Commission as de-  
11 termined necessary; and

12 (B) assist members and staff of the Com-  
13 mission in obtaining security clearances.

14 (h) REPORTS.—

15 (1) REPORTS.—Not later than December 1 of  
16 each year that the Commission remains active and  
17 in operation, the Commission shall submit to the  
18 majority and minority leaders of the House of Rep-  
19 resentatives and Senate a comprehensive report on  
20 the findings, conclusions, and recommendations of  
21 the Commission with respect to such year and in-  
22 cluding an executive summary of the Commission's  
23 purposes and activities and any relevant references  
24 and materials with respect to such year. Notwith-  
25 standing the previous sentence, the Commission

1 shall not be required to submit a report under this  
2 paragraph with respect to the first year in which  
3 such Commission is active and in operation if the  
4 Commission is so active and in operation for fewer  
5 than six months of such first year.

6 (2) CLASSIFIED INFORMATION.—In the case  
7 that a report submitted under this subsection in-  
8 cludes classified information, the Commission shall  
9 also submit to the majority and minority leaders of  
10 the House of Representatives and Senate a redacted  
11 version of such report with such classified informa-  
12 tion included as a classified annex to such report.

13 (3) PUBLIC AVAILABILITY.—Reports submitted  
14 under this subsection, or the redacted versions of  
15 such reports (if applicable), shall be made publicly  
16 available on a centralized Federal internet website.

17 (i) APPLICABILITY OF FACA.—Except as provided in  
18 subsection (j), the provisions of the Federal Advisory  
19 Committee Act (5 U.S.C. App.) shall apply to the activi-  
20 ties of the Commission.

21 (j) TERMINATION.—

22 (1) IN GENERAL.—The Commission, and all the  
23 authorities of the Commission under this Act, shall  
24 remain active and in operation until the last day of

1 the 10-year period beginning on the date of the en-  
2 actment of this Act.

3 (2) ADMINISTRATIVE ACTIVITIES.—The Com-  
4 mission may use the 60-day period following the  
5 date of termination of the Commission for the pur-  
6 pose of concluding its activities, including providing  
7 testimony to Congress concerning its results and dis-  
8 seminating the final report of the Commission.

9 (k) AUTHORIZATION OF APPROPRIATIONS.—For pur-  
10 poses of carrying out this section, there is authorized to  
11 be appropriated to the Commission \$6,000,000 for fiscal  
12 year 2024 and such sums as may be necessary for each  
13 fiscal year thereafter through fiscal year 2034, to be avail-  
14 able until expended.

